

WHAT IS CLAIMED IS:

1. A method for performing a business transaction, comprising:
receiving a partial present interest in real property from a first party; and
transferring consideration from a second party to the first party for the partial present interest, wherein the real property is a primary residence of the first party and said consideration includes:
 - a) at least one asset, and
 - b) a written agreement by the second party to waive rights to control and sale of the real property.
2. The method of claim 1, wherein the partial present interest in the real property is a minority interest
3. The method of claim 1, wherein said at least one asset includes an amount of money.
4. The method of claim 3, further comprising:
computing the amount of money based on a currently appraised value of the real property.

5. The method of claim 3, further comprising:
computing the amount of money based on a net equity the first party owns in the real property.
6. The method of claim 3, further comprising:
computing a first sum equal to a first predetermined percentage of a currently appraised value of the real property;
computing a second sum equal to a second predetermined percentage of a net equity the first party owns in the real property; and
selecting a lesser of the first sum and the second sum as the amount of money transferred from the second party to the first party.
7. The method of claim 6, wherein the first predetermined percentage is less than the second predetermined percentage.
8. The method of claim 1, wherein in the written agreement the second party retains a right to receive proceeds from a sale of the real property.
9. The method of claim 8, wherein in the written agreement the second party retains a right to approve a sale price of the real property.

10. The method of claim 1, wherein receiving the partial present interest from the first party is subject to a condition that the first party pay all costs and expenses associated with maintaining the real property.

11. The method of claim 1, wherein receiving the partial present interest from the first party is subject to a condition that the first party pay taxes, insurance, and debt payments associated with the real property.

12. The method of claim 1, wherein transferring said consideration is subject to a condition that the first party has a minimum net equity in the real property.

13. The method of claim 1, wherein transferring said consideration is subject to a condition that the first party pay all costs associated with said transfer.

14. The method of claim 1, wherein receiving the partial present interest from the first party is subject to a condition that the first party has an unrestricted right to reacquire all or a portion of the partial present interest from the second party.

15. The method of claim 14, wherein reacquisition of the partial present interest by the first party includes paying the second party a sum based on a current appraisal of the real property.

16. The method of claim 1, further comprising:
structuring the transaction so that the first party retains tax benefits equal to full ownership of the real property.
17. The method of claim 16, wherein said tax benefits include a mortgage interest deduction, a property tax deduction, and a deferral of income realized by sale of the real property.
18. The method of claim 1, further comprising:
transferring the partial present interest in the real property from the second party to a third party, wherein the third party agrees to waive the same rights as the second party as set forth in the written agreement.
19. The method of claim 18, wherein the second party retains no ownership interest in the real property after the partial present interest is transferred to the third party.
20. The method of claim 18, further comprising:
performing administrative functions relating to the transfer of the partial present interest to the third party, said administrative functions being performed by the second party and including recording the interest listing the first party and third party as owners of the real property.

21. The method of claim 18, further comprising:
releasing the interest to the third party subject to approval of a sale price of the real property by one of the second party and the third party.
22. The method of claim 1, comprising:
providing an intermediary between the first and second parties,
wherein the intermediary administrates transfer of the partial present interest to the second party and transfer of said consideration to the first party.
23. The method of claim 22, wherein the intermediary owns the partial present interest in the real property prior to transfer to the second party.
24. The method of claim 22, wherein the intermediary acquires no ownership interest in the real property at any time.
25. The method of claim 22, further comprising:
performing administrative functions relating to the transfer of the partial present interest to the third party, said administrative functions being performed by the intermediary and including recording the interest listing the first party and second party as owners of the real property.

26. The method of claim 25, further comprising:
releasing the interest to the second party subject to approval of a sale price of the real property by one of the intermediary and the second party.

27. The method of claim 22, wherein the partial present interest and said consideration is transferred directly between the first and second parties subject to payment of a fee to the intermediary.

28. The method of claim 27, wherein said fee includes at least a sales commission.

29. The method of claim 1, further comprising:
selling the real property; and
distributing proceeds from the sale based on respective ownership interests in the first and second parties.

30. The method of claim 29, wherein sale of the real property is conditioned upon a tax status of the sale.

31. The method of claim 30, wherein said tax status includes treatment of the sale as a long-term capital gain.

32. The method of claim 1, wherein the real property is a house.

33. The method of claim 1, wherein the real property is a townhouse.
34. The method of claim 1, wherein the real property is a condominium.
35. The method of claim 1, wherein the second party is an individual investor.
36. The method of claim 1, wherein the second party is an institutional investor.
37. The method of claim 1, wherein said consideration also includes payment of a debt associated with the property.
38. The method of claim 37, wherein said debt includes payments associated with financing the real property.
39. The method of claim 1, wherein in the written agreement the second party waives a right to receive a pro rata deduction of Federal, state, or local income taxes as a result of the ownership interest obtained by the second party from the sale.
40. The method of claim 1, wherein when the property is sold to a buyer:
the second party agrees to defer collecting proceeds from the sale; and
the buyer agrees to allow the second party to retain the partial property interest in the property.

41. The method of claim 40, wherein the property is sold to the buyer for an amount based on the sales price of the property less the value of the partial property interest held by the second party in the property.

42. The method of claim 1, wherein the business transaction is performed in a manner which does not require a deed transfer.

43. The method of claim 1, wherein the business transaction is performed in a manner which does not trigger a due-on-sale clause of a mortgage of the property.